



COPY OF PAPERS  
ORIGINALLY FILED

Docket No. HYS-31CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Godbole, et al.  
Serial No: 09/756,247  
Filed: January 08, 2001  
For: METHODS AND MATERIALS  
RELATING TO ALPHA-2-  
MACROGLOBULIN-LIKE  
POLYPEPTIDES AND  
POLYNUCLEOTIDES

CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, D.C., 20231.

Date of Deposit: April 29, 2002

Type or Print Name of Person Mailing: Annya Dushine

  
Signature of Person Mailing

PETITION UNDER 37 C.F.R. §1.47(B)

BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

RECEIVED  
MAY 14 2002  
OFFICE OF PETITIONS

Sir:

This petition under 37 C.F.R. §1.47(b) is submitted along with a three-month extension of time in response to the Notice to File Missing Parts mailed on December 18, 2001, which provided a two-month deadline to February 18, 2002 for a response. This response is timely filed as a three-month extension of time to April 29, 2002 is submitted herewith.

It is requested that Luisa Bigornia be allowed to act as applicant for the above-identified application on behalf of and as agent of the inventor, Shubhada Godbole, who refuses to sign. The following facts and attached documents support the grant of this petition and show that Hyseq, Inc. has sufficient proprietary interest to execute the declaration.

Accompanying this petition are:

- (a) Copy of an executed Declaration for Patent Application and Power of Attorney by Bryan J. Boyle, Nancy K. Mize, Cenhua Deng, Ryle W. Goodrich, Matthew C. Arterburn, Ping Zhou, Y. Tom Tang, Chenghua Liu, George Yeung, Radoje T. Drmanac, and
- (b) Statement of Facts to Support the Filing on Behalf of the Nonsigning Inventors with Exhibits 1, 2 and 3,

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Docket No: HYS-31CIP

1. The above-identified U.S. Patent Application, Serial No. 09/811,107, ("107 Application") lists Bryan J. Boyle, Nancy K. Mize, Cenhua Deng, Ryle W. Goodrich, Matthew C. Arterburn, Ping Zhou, Y. Tom Tang, Chenghua Liu, George Yeung, Radoje T. Drmanac as the inventors (hereafter the "Inventors").

2. Despite diligent efforts made by Annya Dushine, through the undersigned attorney, it is concluded that the Inventor refuses to execute the inventor's declaration in addition to other documents necessary towards patent issuance.

3. The Inventor's last known address is as follows:

1013 Wood Duck Avenue, Santa Clara, CA 95051

4. As shown by the accompanying Statement of Facts to Support the Filing on Behalf of the Nonsigning Inventors and Exhibits 1, 2 and 3, Hyseq, Inc. is the sole owner of all right, title and interest in the above-identified application. Exhibit 1 is a redacted agreement in which the Inventor executed an obligation to assign ownership in rights to her invention to Hyseq, Inc. Exhibit 2 shows the documents sent to the Inventor, by the undersigned attorney, requesting execution of the inventor's declaration. Exhibit 3 shows the detailed results of the Track Shipments provided by Federal Express.

5. The accompanying Statement of Facts to Support the Filing on Behalf of the Nonsigning Inventors along with Exhibits 1, 2 and 3, establish facts that support the request that Luisa Bigornia be allowed to make application, which is necessary to prevent irreparable damage.

On the basis of these facts and for the foregoing reasons it is solicited that the Commissioner allow Luisa Bigornia to make application on behalf of and as agent of the Inventor who refuses to sign.

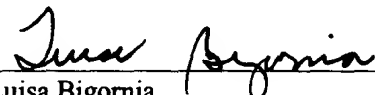
The Commissioner is hereby authorized to charge payment of the petition fee of \$130.00, and any other fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 501169. A duplicate copy of this sheet is enclosed.

Please refund any overpayment to Hyseq, Inc. at the address below

Respectfully submitted,

Dated: April 29, 2002

By:

  
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